

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/15/2016

Federal Communications Commission

FOR CERTIFYING OFFICIAL: Walter Boswell

FOR CLEARANCE OFFICER: Cathy Williams

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received
12/15/2016

ACTION REQUESTED: New collection (Request for a new OMB Control Number)

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201612-3060-012

AGENCY ICR TRACKING NUMBER: CGB

TITLE: Transparency Rule Disclosures, Protecting and Promoting the Open Internet, Report and Order on Remand, Declaratory Ruling, and Order, GN Docket No. 14-28, FCC 15-24 (Mobile Broadband Disclosures)

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved with change

OMB CONTROL NUMBER: 3060-1220

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 12/31/2018

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	3,188	99,466	640,000
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	3,188	99,466	640,000
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE: OMB approves the requested information collection for mobile broadband for two years. However, at this time, packet loss will not be a required performance metric for mobile disclosure.

Given the current level of public participation in the mobile MBA application, mobile MBA is not designated a "safe harbor" for mobile disclosure at this time and will not be used as such until FCC provides OMB analysis that indicates that participation in the program reflects a representative, statistically valid measure of mobile performance data.

Prior to renewal, FCC will:

- a. Continue to refine its current mobile disclosure requirements, as may be necessary, in light of results published in FCC's mobile MBA report that is generated from a statistically valid, representative sample of information collected through the mobile MBA application and methodologies for measuring performance to ensure that the disclosures best serve the goals of:
 - i. providing accurate information that is useful to consumers, and
 - ii. providing information that is useful for decision-making purposes.
- b. When submitting the mobile broadband ICR for renewal, report to OMB the results of the above evaluations, along with a discussion of consumer information gathered through the MBA program and other relevant evidence of the usefulness to consumers and effectiveness of the disclosures.
- c. Assess geographic region measurement units to weigh the utility and comparability

for consumers, including whether:

- i. CMAs are the appropriate unit of measurement for disclosing “actual network performance” in which a “consumer would likely experience”;
- ii. Possible other alternative geographic region measurement options.
- iii. Whether using voluntary consensus standards would be a viable alternative.
- d. Assess reported peak usage data to determine:
 - i. whether there is a threshold percentage of consumer congestion within the mobile broadband service industry that would lend itself as a baseline for industry to use in establishing a peak time frame;
 - ii. the appropriate mobile disclosure usage parameters (i.e. peak usage like on peak/off peak);
 - iii. whether using voluntary consensus standards would be a viable alternative.
- e. Assess, with regard to packet loss:
 - i. the practical utility of packet loss as it relates to mobile performance disclosure;
 - ii. “accurate” methods of calculating mobile packet loss (i.e., drive testing, voluntary app, etc.)
 - iii. whether using voluntary consensus standards would be a viable alternative.
- f. When submitting the mobile broadband ICR for renewal, FCC will include an estimate of burden associated with mobile disclosures specifically, taking into consideration any differences in burden associated with the disclosure of fixed versus mobile broadband data. Currently, FCC is reporting an identical burden estimate for the calculation and disclosure of broadband performance data by both fixed and mobile broadband providers.

OMB Authorizing Official:

Howard Shelanski
Administrator,
Office Of Information And Regulatory Affairs

List of ICs			
IC Title	Form No.	Form Name	CFR Citation
Transparency Rule Disclosures, Protecting and Promoting the Open Internet, Report and Order on Remand, Declaratory Ruling, and Order, GN Docket No. 14-28, FCC 15-24 (Mobile Broadband Disclosures)			47 CFR 8.3
Transparency Rule Disclosures, Protecting and Promoting the Open Internet, Report and Order on Remand, Declaratory Ruling, and Order, GN Docket No. 14-28, FCC 15-24 (Mobile Broadband Disclosures)			47 CFR 8.3